

REMARKS

Entry of the foregoing, re-examination and reconsideration of the subject matter identified in caption, as amended, pursuant to and consistent with 37 C.F.R. § 1.111, and in light of the remarks which follow, are respectfully requested.

In the present Amendment, the specification including abstract have been amended to correct typographical errors and capitalize trademarks.

Claims 1 and 6 have been amended to incorporate the subject matter of claim 11. Claim 10 has been amended to correct an error in the structure therein and to further define "m." These amendments are supported by the disclosure, at least page 6 and pages 28-29. New claims 60-69 have been added. Claims 60 and 65 are supported by the original disclosure, for example, previous claims 1 and 6, respectively, and claim 12. Claims 61-64 and 66-69 correspond to claims 2-5 and 7-10, respectively, and depend from claims 60 and 65, respectively. Claims 11, 12, 14-29, 32-39 and 46-59 have been canceled without prejudice or disclaimer.

Upon entry of the Amendment, Claims 1-10, 13, 30, 31, 40-45 and 60-69 will be all the claims pending in the application.

I. Status of Claims

The Office Action Summary indicates that claim 1-13 are pending and claims 14-58 are withdrawn.

Applicants note, however, that claim 59 was also pending in the present application. Thus, claims 1-59 were pending, prior to the present Amendment.

II. Information Disclosure Statement

Applicants filed a third Information Disclosure Statement along with a Form PTO -1449 on April 2, 2009. The Examiner is respectfully requested to initial and date the Form PTO-1449 and return a signed copy of Applicants in the next PTO communication.

III. Response to Objections to the Specification and Abstract

The specification and Abstract were objected to for informalities.

As noted above, Applicants have amended the specification and abstract to correct various errors and capitalize the trademarks. Particularly, the abstract has been amended to replace "includes" with --includes--. The specification has been amended to replace

"efficientantireflection" with --efficient antireflection--. Accordingly, the Examiner is respectfully requested to reconsider and withdraw the objection.

III. Response to Objection to the Claims

Claim 10 was objected to for informalities.

In response thereto, Applicants have amended claim 10 to correct the error in the structure therein and to further define "m." Accordingly, the Examiner is respectfully requested to reconsider and withdraw the objection to claim 10.

IV. Response to Obviousness-Type Double Patenting Rejection

Claims 6-10 were rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 3, 9 and 10 of U.S. Patent Application No. 11/444,330.

Applicants respectfully submit that claims 6-10 as amended are not obvious over claims 3, 9 and 10 of the '330 application. As noted above, independent claim 6 has been amended to incorporate the subject matter of claim 11, which is not included in this rejection. Claims 7-10 depend from claim 6. Accordingly, the Examiner is respectfully requested to reconsider and withdraw the rejection.

V. Response to Rejection under 35 U.S.C. § 102(b)

Claims 1 and 6 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,138,472 to Jones et al.

Applicants respectfully submit that claims 1 and 6 as amended are novel over Jones et al. As noted above, claims 1 and 6 have been amended to incorporate the subject matter of allowable claim 11.

Further, the Office Action asserts that Jones et al. teaches, in column 4, lines 22-25, that hollow spheres of glass are made of SiO₂, and as such, Jones et al. teaches the claimed hollow silica particle.

Applicants wish to point out that Jones et al.'s invention is intended to scatter light at scattering centers to ensure bright field of view in a wide range of view angles, and that the portion of Jones et al., which the Examiner relies on as disclosing the claimed hollow silica particle, is an example of scattering centers in the scattering layer. On the other hand, the presently claimed invention provides a layer having a lower refractive index layer by utilizing

hollow silica particles (page 20 of the specification). Therefore, the technical concept of the presently claimed invention for obtaining a layer having a lower refractive index is quite different from Jones et al. which merely discloses scattering centers.

The Office Action also asserts that Jones et al. discloses, in column 7, line 17, a polyester as a compound lowering a surface free energy. Applicants advise that a polyester is not a compound lowering a surface free energy and Jones et al. does not disclose or suggest that polyester is a compound lowering a surface free energy.

In view of the foregoing, Applicants respectfully submit that present claims 1 and 6 are patentable over Jones et al. and thus the rejection should be withdrawn.

V. Response to Rejection under 35 U.S.C. § 103(a)

Claims 1-10 and 13 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Japanese Patent Document No. 2000-313709 to Nobuyasu (machine translation) in view of Jones et al.

Applicants respectfully submit that claims 1 and 6 as amended are novel over Nobuyasu in view of Jones et al. As noted above, claims 1 and 6 have been amended to incorporate the subject matter of allowable claim 11. Additionally, claims 2-5, 7-10 and 13 depend from claim 1 or 6, directly or indirectly. Accordingly, the Examiner is respectfully requested to reconsider and withdraw the rejection.

VII. Response to Claim Objection

Claims 11 and 12 were objected to as being dependent upon a rejected base claim. Applicants respectfully submit that this objection is moot because claims 11 and 12 have been canceled.

VIII. New Claims 60-69

Newly added claims 60 and 65 combine the subject matter of previous claims 1 and 6, respectively, and allowable claim 12. Thus, claims 60 and 65 are patentable over the cited references. In addition, claims 61-64 and 66-69 depend from claim 60 or 65, and thus are patentable over the cited references at least by virtue of their dependency.

IX. Conclusion

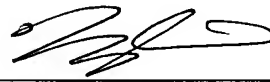
From the foregoing, further and favorable action in the form of a Notice of Allowance is believed to be next in order and such action is earnestly solicited. If there are any questions concerning this paper or the application in general, the Examiner is invited to telephone the undersigned at his earliest convenience.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

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By: _____



Fang Liu, Ph.D.

Registration No. 51283

P.O. Box 1404
Alexandria, VA 22313-1404
703 836 6620